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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/710,897	08/11/2004	John M. Tiesler	04966 (LC 0163 PUS)	4896
36014	7590	10/31/2005	EXAMINER	
JOHN A. ARTZ ARTZ & ARTZ, P.C. 28333 TELEGRAPH ROAD, SUITE 250 SOUTHFIELD, MI 48034			FIGUEROA, FELIX O	
			ART UNIT	PAPER NUMBER
			2833	

DATE MAILED: 10/31/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/710,897	Applicant(s) TIESLER ET AL.	
	Examiner Felix O. Figueroa	Art Unit 2833	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) 19 and 20 is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☒ Claim(s) 19 and 20 are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>08/11/2004</u> . | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Election/Restrictions

Restriction to one of the following inventions is required under 35 U.S.C. 121:

- I. Claims 1-18, drawn to a vehicle assembly, classified in class 439, subclass 34.
- II. Claims 19-20, drawn to a method of altering the arrangement of modules, classified in class 29.

The inventions are distinct, each from the other because of the following reasons:

Inventions I and II are related as product and process of use. The inventions can be shown to be distinct if either or both of the following can be shown: (1) the process for using the product as claimed can be practiced with another materially different product or (2) the product as claimed can be used in a materially different process of using that product (MPEP § 806.05(h)). In the instant case the product as claimed can be used in a materially different process of using that product, such as sliding the modules into the predetermined position.

Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper.

During a telephone conversation with Jeffrey Chapp on October 24, 2005 a provisional election was made without traverse to prosecute the invention of Group I, claims 1-18. Affirmation of this election must be made by applicant in replying to this

Office action. Claims 19 and 20 withdrawn from further consideration by the examiner, 37 CFR 1.142(b), as being drawn to a non-elected invention.

Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-4, 6, 7, 11, 12 and 14-18 are rejected under 35 U.S.C. 102(b) as being anticipated by Dutta (US 5,599,086).

A vehicle overhead module powerstrip assembly comprising: at least one overhead attachment strip (18) configured to couple to a vehicle overhead structure; at least one electrically conductive strip (50) coupled to said at least one attachment strip; and at least one modular connector (at 54,56) comprising a plurality of electrical contacts having a plurality of attachment positions (Fig.1) along said at least one electrically conductive strip, said at least one modular connector configured to couple an overhead electronic module (24) to said at least one electrically conductive strip.

Regarding claims 2-4, Dutta discloses the at least one attachment strip being a single extruded component; comprising at least one flange (not labeled, Figs. 2 and 3) that covers at least a portion of said at least one electrically conductive strip; being flexible;

Regarding claim 6, Dutta discloses the at least one attachment strip applying pressure on said at least one modular connector to maintain electrical contact between said at least one electrically conductive strip and said at least one modular connector.

Regarding claim 7, Dutta discloses the at least one electrically conductive strip comprising a positively charged electrically conductive strip (50) and a negatively charged electrically conductive strip (52).

Regarding claim 12, Dutta discloses the plurality of electrical contacts being slidable along said at least one electrically conductive strip.

Regarding claim 14, Dutta discloses the at least one modular connector comprises at least one insulator separating said plurality of electrical contacts.

Regarding claim 15, Dutta discloses the insulator comprising a plurality of module attachment holes (Fig.2).

Regarding claim 16, Dutta discloses a vehicle overhead console comprising: at least one track (62); at least one overhead electronic module (24) transitional along said at least one track; and at least one vehicle overhead module powerstrip assembly (54,56) comprising: at least one overhead attachment strip (18) configured to couple to a vehicle overhead structure; at least one electrically conductive strip (50,52) coupled to said at least one attachment strip; and at least one modular connector (at 54,56)

comprising a plurality of electrical contacts (54,56) having a plurality of attachment positions along said at least one electrically conductive strip, said at least one modular connector configured to couple said at least one overhead electronic module to said at least one electrically conductive strip.

Regarding claim 17, Dutta discloses the at least one overhead attachment strip being coupled to said at least one track via at least one fastening device (70).

Regarding claim 18, Dutta discloses the at least one electronic module having an infinite number of module positions relative to said track (Fig.1) and receives power from said at least one electrically conductive strip in each of said module positions.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Dutta.

Dutta discloses substantially the claimed invention except for the specific material of the flange. It would have been obvious to one having ordinary skill in the art at the time the invention was made to use a known material, such as polypropylene, as the preferred material in order to provide a flange with high temperature resistance, since it has been held to be within the general skill of a worker in the art to select a known material on the basis of its suitability for the intended use as a matter of obvious design preference. *In re Leshin*, 125 USPQ 416.

Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Dutta in view of Tiesler et al. (US 6,575,528).

Dutta discloses substantially the claimed invention except for the location of the strip. Tiesler teaches the use of a strip along a longitudinal centerline of a vehicle, thus improving accessibility of the modules. Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to form the strip of Dutta along a longitudinal centerline, as taught by Tiesler, to improve accessibility of the modules.

Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Dutta in view of Woertz (US 3,603,918).

Dutta discloses substantially the claimed invention except for the spring loaded ground contact. Woertz teaches the use of a spring loaded ground contact to provide reliable grounding to the connector. Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to form the connector of Dutta with spring loaded ground contact, as taught by Woertz, to provide reliable grounding to the connector.

Claims 10, 11 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dutta in view of Laser (US 3,569,899).

Dutta discloses substantially the claimed invention except for plurality of channels/center member/spreading resistance. Laser teaches the use of a plurality of channels (9,10) with a center member (8); and at least one electrical conductive strip in the center member, and the contacts (46,47) having a spreading resistance, thus


providing a secure holding of the connector. Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to form the attachment strip and contacts of Dutta, as taught by Laser, to provide a secure holding of the connector.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Felix O. Figueroa whose telephone number is (571) 272-2003. The examiner can normally be reached on Mon.-Fri., 10:00am-6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paula A. Bradley can be reached on (571) 272-2800 Ext. 33. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Felix O. Figueroa
Art Unit 2833